

November 27, 2013

The Honorable Bill Foster
United States House of Representatives
Washington, DC 20515

Dear Congressman Foster:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of October 18, 2013, regarding management of spent fuel at commercial nuclear power plants. I appreciate your kind words, and recognition of the staff's efforts to address the need for more rigorous regulatory guidance in this area.

One goal of the NRC's 2010 action plan, "On Site Spent Fuel Criticality Analysis," which you reference, is the development of a guidance document that would improve the quality of the criticality safety analyses being performed by licensees. Earlier this year, the Nuclear Energy Institute (NEI) submitted a proposal for such a document to the NRC. The NRC staff has begun a series of public meetings to obtain comments on the NEI proposal. Those meetings are scheduled to continue through February of 2014.

NEI is expected to provide a revised draft proposal to the NRC in March 2014 that reflects input from the public meetings. NRC will then perform a detailed review. Agency consideration of this proposal is expected to be completed in FY 2015, subject to the availability of adequate funding. During this time, we continue to believe that on-going NRC staff reviews of licensee criticality safety analyses are sufficiently robust and detailed to ensure licensees are operating their facilities in a manner that protects public health and safety.

NRC staff would be happy to arrange a briefing for you or your staff on this issue, at your request. If you need any additional information, please contact me or Rebecca Schmidt, Director of the Office of Congressional Affairs, at (301) 415-1776.

Sincerely,

/RA/

Allison M. Macfarlane